

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

No. 4:06-CR-00071-BO

UNITED STATES,)	
)	
v.)	<u>ORDER</u>
)	
RAED BAYYARI,)	
_____)	

This matter is before the Court on Defendant Raed Bayyari's Motion for Early Termination of Probation or, in the Alternative, Motion to Travel Overseas. Defendant's Motion to Travel Overseas is GRANTED.

FACTS

Mr. Bayyari pled guilty conspiracy to commit mail fraud and trafficking in counterfeit goods. In March, 2008, Mr. Bayyari was ordered to serve 37 months in BOP custody and two years of supervised release. He claims there were no significant behavior issues or write-ups during the period of incarceration, and the Government does not contest this.

Upon his release in January 2010, Mr. Bayyari spent approximately six months in a halfway house. He claims he was in full compliance with all rules and regulations of the halfway house, and the Government does not contest this. On approximately June 4, 2010, Mr. Bayyari returned to Raeford, Hoke County, North Carolina, and is now living with his wife and their four children. Notably, however, Mr. Bayyari's case has never been transferred out of the Eastern District of North Carolina.

Mr. Bayyari began the supervised release portion of the sentence in June, 2011; his period of supervised release will expire on approximately June 4, 2012. Mr. Bayyari claims he

has been and presently is in full compliance with all requirements of his supervised release, and the Government does not contest this.


Mr. Bayyari now requests termination of his probation on or about June 4, 2011, one year before the term expires. Alternatively, Mr. Bayyari desires to travel to Amman, Jordan with his family this summer. His wife and four children currently have flight reservations to travel in late May and return in August. They plan to stay with Mr. Bayyari's father in Amman for the trip. Mr. Bayyari would like to also visit his elderly father, who is approaching 76 years old and of precarious health. Mr. Bayyari has not seen his father since 2004.

Mr. Bayyari argues that because of his deep roots in Hoke County, including his family business, his family home, and his children's attendance at public school, he has every intention to return to North Carolina if the Court allows his summer visit to Amman.

CONCLUSION

After considering the factors set forth in 18 U.S.C. § 3564(c), the Court denies Defendant's request for early release from probation. The Court instead grants Defendant's alternative request to travel to Amman, Jordan to visit his father between June 2011 and the end of August 2011.

SO ORDERED, this 26 day of June, 2011.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE